

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

KEVIN THISSEL,

Defendant.

CASE NO. 2:24-cr-00138-LK

**ORDER DENYING MOTION TO
WITHDRAW WITHOUT
PREJUDICE, DKT. 59**

Defendants Kevin Thissel and Christophe Johnson are charged by grand jury indictment with Racketeering, and Conspiracy to Commit RICO with a special sentencing factor. Dkt. 1. On November 15, 2024, the Court issued an order setting trial for October 6, 2025. Dkt. 45. On April 8, 2025, Peter Mazzone was appointed to represent Mr. Thissel; Mr. Fricke was appointed as associate counsel on April 17, 2025. Dkt. 52.

On May 14, 2025, defense counsel Peter Mazzone and Wayne Fricke filed a motion to withdraw as Defendant Kevin Thissel's lawyer. Dkt. 59. This motion is intertwined with Mr. Thissel's motion to continue trial to October 2026, (Dkt. 54), which the Court denied on May 5, 2025. *See* Dkts. 57 and 58.

The Court finds counsels' motion to withdraw, based largely on time constraints between now and the October 2025 trial date, is premature. The District Judge denied Mr. Thissel's

1 motion to continue because Mr. Mazzone did not “adequately justify his requested one-year
2 continuance.” Dkt. 57. This indicates defense counsel can renew his motion to extend the trial
3 date with further justification. The District Judge made this clear by directing counsel to explore
4 an agreed continuance, and if an agreement could not be reached to address whether severance is
5 required, whether there are other alternatives, and why, if defense counsel had a conflict with the
6 current trial date when counsel was appointed, counsel nonetheless accepted appointment
7 without determining if the trial date could be delayed. As the assigned District Judge has
8 provided defense counsel with a roadmap to address any time constraints counsel faces caused
9 by the current October 2025 trial date, the Court **DENIES** the motion to withdraw without
10 prejudice.

11 DATED this 16th day of May, 2025.

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13 BRIAN A. TSUCHIDA
14 United States Magistrate Judge
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